

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Kelly Guillon	Team: Squad #02	CCRB Case #: 202208205	<input checked="" type="checkbox"/> Force <input type="checkbox"/> Discourt. <input type="checkbox"/> U.S. <input type="checkbox"/> Abuse <input type="checkbox"/> O.L. <input checked="" type="checkbox"/> Injury
Incident Date(s) Thursday, 11/24/2022 1:12 AM	Location of Incident: Opposite of § 87(2)(b) [REDACTED]	18 Mo. SOL 5/24/2024	Precinct: 71
Date/Time CV Reported Mon, 11/28/2022 12:20 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 11/30/2022 1:36 PM

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. PO Aaqib Bhatti	14985	963873	071 PCT
2. PO Mubbashar Zahid	03267	965634	071 PCT
3. LT SA Timothy Brovakos	00000	943025	071 PCT
4. PO Sohaib Rasool	19491	959920	071 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. PO Charles Davis	01586	941623	071 PCT
2. PO Farrah Elzayat	14435	974086	070 PCT
3. PO Michael Donza	11482	974071	071 PCT
4. PO Ainul Haque	22150	971085	071 PCT
5. PO Rubin Cruz	23799	938301	071 PCT
6. PO Ricky Zhu	07001	973044	071 PCT
7. PO Lised Tapia	28334	972280	071 PCT
8. PO Vincent Russo	25431	971214	071 PCT
9. PO Lawrence Pollard	05244	970777	071 PCT
10. PO Timothy Williams	04793	966908	071 PCT
11. PO Shahzad Ahmed	18594	961600	071 PCT
12. SGT Fallyn Martis	00575	942140	071 PCT
13. PO Joseph Loporto	09552	970671	071 PCT
14. PO Avinash Ansari	30234	966944	071 PCT
15. PO Joel Torres	03111	970897	071 PCT
16. PO Andrey Lysak	16578	957793	071 PCT
17. PO Edwin Santiago	20758	968118	067 PCT
18. PO Billy Huang	23754	972396	067 PCT
19. PO Nicholas Vecchiarelli	05933	973014	071 PCT
20. PO Anton Baird	08458	956407	071 PCT

Officer(s)	Allegation	Investigator Recommendation
A.PO Aaqib Bhatti	Force: Police Officer Aaqib Bhatti used physical force against § 87(2)(b)	
B.PO Mubbashar Zahid	Force: Police Officer Mubbashar Zahid used physical force against § 87(2)(b)	
C.LT SA Timothy Brovakos	Force: Lieutenant Timothy Brovakos used physical force against § 87(2)(b)	
D.PO Sohaib Rasool	Force: Police Officer Sohaib Rasool used physical force against § 87(2)(b)	

## **Truncation Case Summary**

### **Search IAs: 4**

Created by: Valerie Caicedo on 11/30/2022

Remarks Performed a NYCMap search. Incident occurred in the confines of one of the following two bordering Precincts: 70 and 71.

Created by: Valerie Caicedo on 11/30/2022

Remarks Performed a BADS search of name § 87(2)(b) and the date 11/24/22 and yielded two arrests:

§ 87(2)(b) (voided) and § 87(2)(b) Obtained exact incident location and time and updated 245. (See IA #6)

Created by: Kelly Guillon on 12/08/2022

Remarks Performed a GOOGLE MAP search.

Created by: Kelly Guillon on 12/21/2022

Remarks Performed a BADS search on Arrest Reports generated on November 24th, 2022 by the 71 Precinct.

### **Contact complainant/victim IAs: 14**

Contact: Comp/Victim § 87(2)(b)

Created by: Kelly Guillon on 12/06/2022

Remarks [#1] Called § 87(2)(b) to speak to him about the incident, however once I dialed his number it was not in service.

Contact: Comp/Victim § 87(2)(b)

Created by: Kelly Guillon on 12/08/2022

Remarks [#2] Spoke with § 87(2)(b) and scheduled him for a CCRB interview on December 15th, at 2:30 PM  
Email: § 87(2)(b) Read BWC Consent Script: § 87(2)(b) consented § 87(2)(b) confirmed that on November 24th, 2022 at approximately 1:00 AM at § 87(2)(b) in Brooklyn, § 87(2)(b) was having a "Friendgiving" with his friends because it was Thanksgiving Morning. § 87(2)(b) was leav...

Contact: Comp/Victim § 87(2)(b)

Created by: Kelly Guillon on 12/15/2022

Remarks Called § 87(2)(b) and advised him that if he had an attorney regarding this case he should speak with them first and then conduct an official CCRB interview. § 87(2)(b) informed me that he does have an attorney regarding his summonses; however he has no retained an attorney for a lawsuit. § 87(2)(b) is consider doing a lawsuit. § 87(2)(b) stated that he would like to continues the CCRB interview w...

Contact: Comp/Victim § 87(2)(b)

Created by: Kelly Guillon on 12/15/2022

Remarks [#3] Called § 87(2)(b) for his scheduled CCRB interview. § 87(2)(b) told me that he was currently at work and will not be available until 30 Minutes from now(3:00 PM). § 87(2)(b) informed me that he works nearly, "24 hours a day." He owns his own business and works from 8:00 AM to 8:00 PM Sunday through Saturday. § 87(2)(b) is not available for interviewing on weekends. Pronouns: He/him Rac...

Contact: Comp/Victim § 87(2)(b)

Created by: Kelly Guillon on 12/15/2022

Remarks Called § 87(2)(b) for his Scheduled CCRB interview. § 87(2)(b) told me he needed 15 more minutes before he would be available for his interview. I told § 87(2)(b) to call me back in 15 minutes once he is available.

Contact: Comp/Victim § 87(2)(b)

Created by: Kelly Guillon on 12/15/2022

Remarks Called § 87(2)(b) and rescheduled our CCRB interview for December 21th, 2022 at 6:00 PM. § 87(2)(b) stated that he had no lunch breaks and that 6:00 PM would be the best time. § 87(2)(b) told me he still has not received the HIPPA Form sent to his home, I told him that I will be sending him an unsealing form in the mail and he consented to signing the form.

Contact: Victim § 87(2)(b)

Created by: Kelly Guillon on 12/22/2022

**CCRB Case # 202208205**

Remarks Called § 87(2)(b) and he did not pick up the phone. I was unable to leave a voice mail as I was never given the option to do.

Contact: Victim § 87(2)(b)

Created by: Kelly Guillon on 12/22/2022

Remarks § 87(2)(b) called me and told me would like to move forward with the case. § 87(2)(b) told me that another person was witness to the incident and was named, § 87(2)(b) § 87(2)(b). § 87(2)(b) did not know § 87(2)(b)'s last name. I informed § 87(2)(b) that he should speak with his lawyer before moving forward with this case and he told me he would call her first. We scheduled our interview for December 29th, 2022 at 12...

Contact: Victim § 87(2)(b)

Created by: Kelly Guillon on 12/22/2022

Remarks I called § 87(2)(b) in order to reschedule our CCRB interview. § 87(2)(b) did not pick up the phone and I could not leave a voicemail.

Contact: Victim § 87(2)(b)

Created by: Kelly Guillon on 12/22/2022

Remarks § 87(2)(b) called me back and we rescheduled our CCRB interview for December 29th, 2022 at 2:30 PM.

Contact: Victim § 87(2)(b)

Created by: Kelly Guillon on 12/29/2022

Remarks Called § 87(2)(b) and he informed me that he had not yet spoken with his lawyer. § 87(2)(b) had called his lawyer but was unable to speak with them. We researched § 87(2)(b)'s CCRB interview for January 9th, 2023 at 1:00 PM. § 87(2)(b) confirmed that he got the HIPAA forms delivered to him in the mail and once he finished signing them, he'll send it back.

Contact: Victim § 87(2)(b)

Created by: Kelly Guillon on 01/09/2023

Remarks Spoke with § 87(2)(b) and he informed me that he had still not spoken with his lawyer regarding the CCRB case. § 87(2)(b) told me that on January 16th, 2023 he will be in court regarding this case with his attorney and he will speak with him asking for her consent. § 87(2)(b) told me that once he collects her answer, he will call me back. We rescheduled our CCRB interview for Tuesday, January 24th, 2023 at...

Contact: Victim § 87(2)(b)

Created by: Kelly Guillon on 01/24/2023

Remarks Called § 87(2)(b) and rescheduled our CCRB interview for Tuesday, February 7th, 2023, at 1:00 PM. § 87(2)(b) told me that he could not speak with his lawyer on January 16th, because she did not arrive to court and instead a "fill in lawyer" took her place. § 87(2)(b) told the fill in lawyer about his CCRB case regarding the incident and he told him that he needed to talk to his primary lawyer about it. § 87(2)(b)

Contact: Victim § 87(2)(b)

Created by: Kelly Guillon on 02/07/2023

Remarks I contacted § 87(2)(b) for our CCRB interview. § 87(2)(b) explained that he had still not spoken with his lawyer and would like to temporarily close his CCRB case until his criminal case has completed. § 87(2)(b) agreed to leave his case on pending litigation.

## Letters/Correspondence IAs: 2

Document List:

1st please call to c/v/w letter to Comp/Victim § 87(2)(b) Created 12-06-2022 by Kelly Guillon

1st please call to c/v/w letter to Victim § 87(2)(b) Created 12-21-2022 by Kelly Guillon

Letters/Correspondence IA created by: Kelly Guillon on 12/06/2022

Remarks [#1] Sent a first contact letter to § 87(2)(b)'s mailing address, informing him that I am the investigator assigned to his case and for him to contact me back so we could schedule his CCRB interview.

Letters/Correspondence IA created by: Kelly Guillon on 12/21/2022

Remarks Sent § 87(2)(b) a letter via mail to his home address, requesting that he call me so we can schedule a CCRB interview.

## Civilian Interview Scheduled IAs: 6

Created by: Kelly Guillon on 12/08/2022

Remarks § 87(2)(b) is scheduled to be interviewed on 12/15/2022 at 02:30PM Interview Type: Telephone  
Interview Location: CCRB

Created by: Kelly Guillon on 12/15/2022

Remarks § 87(2)(b) is scheduled to be interviewed on 12/21/2022 at 06:00PM Interview Type: Telephone  
Interview Location: CCRB

Created by: Kelly Guillon on 12/22/2022

Remarks § 87(2)(b) is scheduled to be interviewed on 12/29/2022 at 02:30PM Interview Type: Telephone  
Interview Location: CCRB

Created by: Kelly Guillon on 12/29/2022

Remarks § 87(2)(b) is scheduled to be interviewed on 01/09/2023 at 01:00PM Interview Type: In person  
Interview Location: CCRB

Created by: Kelly Guillon on 01/09/2023

Remarks § 87(2)(b) is scheduled to be interviewed on 01/24/2023 at 01:00PM Interview Type: Telephone  
Interview Location: CCRB

Created by: Kelly Guillon on 02/07/2023

Remarks § 87(2)(g) § 87(2)(b) is scheduled to be interviewed on 02/07/2023 at 01:00PM Interview Type: Telephone Interview Location: CCRB On IA #82 {January 24th, 2023} § 87(2)(b) was scheduled for his CCRB interview.

### **Civilian Interview Missed IAs: 5**

Created by: Kelly Guillon on 12/15/2022

Remarks § 87(2)(b) missed his CCRB interview on December 15th, 2022 at 2:30 PM. § 87(2)(b) was called a total of three time for his scheduled CCRB interview. Each time he was called, he informed me that had was "busy" with his business and asked me too call him back twice. On the final call § 87(2)(b) told me that he works from Sunday to Saturday from 8:00 AM to 8:00 PM with no lunch breaks and that he di...

Created by: Kelly Guillon on 02/07/2023

Remarks § 87(2)(g) On December 29th, 2022, at 2:30 PM, § 87(2)(b) canceled his CCRB interview because he did not yet speak with his lawyer. We rescheduled his CCRB interview for January 9th, 2023. § 87(2)(b) explained that he would attempt to make contact with his lawyer so he can get her consent on giving his sworn statement.

Created by: Kelly Guillon on 02/07/2023

Remarks § 87(2)(g) On January 9th, 2023, at 1:00 PM, § 87(2)(b) canceled his CCRB interview because he did not yet speak with his lawyer. We rescheduled his CCRB interview for January 24th, 2023. § 87(2)(b) explained that he would attempt to make contact with his lawyer so he can get her consent on giving his sworn statement.

Created by: Kelly Guillon on 02/07/2023

Remarks § 87(2)(g) On January 24th, 2023, at 1:00 PM, § 87(2)(b) canceled his CCRB interview because he did not yet speak with his lawyer. We rescheduled his CCRB interview for February 7th, 2023. § 87(2)(b) explained that he would attempt to make contact with his lawyer so he can get her consent on giving his sworn statement.

Created by: Kelly Guillon on 02/07/2023

Remarks § 87(2)(g) On February 7th, 2023, at 1:00 PM, § 87(2)(b) canceled his CCRB interview because he did not yet speak with his lawyer. § 87(2)(b) requested to pending litigate his CCRB case until he is able to speak with his lawyer about his CCRB complaint or until his criminal case has concluded.

**Truncation Report Remarks:**

Between December 21<sup>st</sup>, 2022, and February 7<sup>th</sup>, 2023, the investigation called § 87(2)(b) five times and sent him one letter via postal mail. § 87(2)(b) was a victim of alleged police misconduct for this case. § 87(2)(b) stated that he had an active criminal case against him regarding the incident and wished to confer with his attorney prior to providing his sworn statement. § 87(2)(b) was scheduled for a CCRB interview five times and he told the investigator assigned to his case that he would attempt to contact his attorney to get their consent before his CCRB interview, however he failed each time to contact his attorney. On February 7<sup>th</sup>, 2023, § 87(2)(b) was called and he informed the investigator that he would like to temporarily close his case until his criminal case had concluded or until he was able to get consent from his attorney.

§ 87(2)(g)

Squad No.: 2

Investigator:	<u>Kelly Guillon</u> Signature	<u>Investigator Kelly Guillon</u> Print Title & Name	<u>02/07/2023</u> Date
Squad Leader:	<u>Alexander Opoku-Agyemang</u> Signature	<u>IM Opoku-Agyemang</u> Print Title & Name	<u>2/13/2023</u> Date
Reviewer:	<u></u> Signature	<u></u> Print Title & Name	<u></u> Date

